GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1634
ANSWERED ON:09.12.2015
Issuance of Passports
Somaiya Dr. Kirit

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government has taken note of a recent judgement of Kerala High Court wherein the Court held that a deserted mother does not need husband's consent for her child's passport;

(b) if so, the details thereof;

(c) the response of Union Government thereto;

(d) whether the Government proposes to make necessary changes in the Passport Rules on the basis of this judgement; and

(e) if so, the details in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
[GEN. (DR) V. K. SINGH (RETD)]

(a) & (b) Yes. The Kerala High Court, vide its judgement dated 09.06.2015 in Writ Petition (Civil) No. 8659 of 2015, directed issuance of passport to the minor child of the woman petitioner whose husband had deserted her. Since the divorce proceedings were pending before the family court, the issuance of passport to the child was pending for want of No Objection from the concerned court.

(c) As directed by the High Court, the Passport Authority issued passport to the minor child.

(d) & (e) The direction of the High Court in this case gave specific relief to the individual petitioner. It is stated that the existing provisions already allow a single parent, whose husband has deserted the family, to apply for issuance of passport to the minor child/children by furnishing an affidavit in the form of Annexure 'C' to passport application. Hence, the High Court judgement does not warrant any modification in the existing provisions.